

PROB 12C
(7/93)

Report Date: May 15, 2013

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAY 15 2013

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Mahpiya M. Whitehorse

Case Number: 2:11CR00097-001-RHW

Address of Offender: [REDACTED] Spokane, WA 99202

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: November 3, 2011

Original Offense: Failure to Register, 18 U.S.C. § 2250(a)

Original Sentence: Prison - 27 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Matthew F. Duggan

Date Supervision Commenced: March 29, 2013

Defense Attorney: Amy Rubin

Date Supervision Expires: March 28, 2016

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	Special Condition #18: You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
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Supporting Evidence: On May 15, 2013, Mr. Whitehorse was due to return to the Spokane Residential Reentry Center (RRC) at 2 a.m. following work. At approximately 4 a.m., the RRC determined that Mr. Whitehorse had absconded and notified this probation officer. Mr. Whitehorse subsequently returned to the RRC at approximately 5 a.m. and was permitted to return to the facility. Upon return to the RRC, Mr. Whitehorse smelled of intoxicants. He provided a Breathalyzer sample, which registered a blood alcohol level of .117.

2	Special Condition #22: You shall complete a sex offender evaluation, which may include psychological and polygraph testing. You shall pay according to your ability and allow the reciprocal release of information between the treatment provider and supervising officer.
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Supporting Evidence: Mr. Whitehorse commenced supervision on March 29, 2013. Upon initial intake on this same date, Mr. Whitehorse was instructed to schedule and complete a sex offender evaluation. Mr. Whitehorse failed to complete a sex offender evaluation.

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Special Condition #24: You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

Supporting Evidence: Mr. Whitehorse was declared an absconder from the RRC at approximately 4 a.m. on May 15, 2013, following his failure to return to the center at his prescribed return time of 2 a.m. from work. Mr. Whitehorse subsequently returned to the RRC at approximately 5 a.m.. Upon return, Mr. Whitehorse smelled of intoxicants. He provided a Breathalyzer sample, which registered a blood alcohol level of .117. As Mr. Whitehorse was declared an absconder by RRC staff, he was removed from the program.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 15, 2013

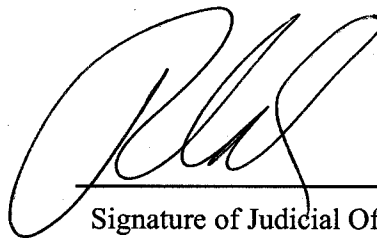
s/M.D. Elvin

M.D. Elvin

Deputy Chief U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

5/15/2013

Date